

<p>FORT PECK TRIBES, Appellant</p> <p style="text-align: center;">v.</p> <p>ACTING BILLINGS AREA DIRECTOR, BUREAU OF INDIAN AFFAIRS, Appellee</p>	<p>: Order Docketing and Dismissing : Appeal : : : Docket No. IBIA 96-76-A : : : July 15, 1996</p>
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On May 24, 1996, the Board of Indian Appeals received a notice of appeal from the Fort Peck Tribes, 1/ through its Chairman, Caleb Shields, seeking review of a decision concerning funding for the Montana-Wyoming Indian Supreme Court. Appellant indicated that the Acting Billings Area Director, Bureau of Indian Affairs (Area Director; BIA), stated at a meeting of the Montana-Wyoming Judges Association held on January 11, 1996, that \$74,857 in funding had been reassigned from the Montana-Wyoming Indian Supreme Court to the Billings Area Office.

The Board issued an order on May 28, 1996, stating:

Appellant does not state that the Area Director issued a written decision. In order for the Board to have jurisdiction over an appeal from an Area Director's decision, the Area Director's decision must be in writing, as provided in 25 CFR 2.7(a). If the Area Director has not issued a written decision, appellant may follow the procedures on 25 CFR 2.8, concerning inaction by a BIA official, in order to request that a written decision be issued.

If the Area Director did issue a written decision, appellant shall submit a copy of the decision to the Board. In this case, appellant shall also furnish the Board with the names and addresses of the other tribes affected by the Area Director's decision, because the other tribes are interested parties.

On or before July 1, 1996, appellant shall furnish a copy of a written decision issued by the Area Director or, in the alternative, shall show why this appeal should not be dismissed for lack of jurisdiction. Failure to respond to this order by July 1, 1996, will result in dismissal of this appeal.

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1/ This tribe is listed in BIA's list of "Indian Entities Recognized and Eligible for Services From the United States Bureau of Indian Affairs" as the Assiniboiné and Sioux Tribes of the Fort Peck Indian Reservation." 58 FR 54364, 54366 (Oct. 21, 1993).

Appellant's only response was to send the Board a retyped and redated copy of its original notice of appeal. This notice lacks the information required by the Board's May 28, 1996, order.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, this appeal is docketed and dismissed.

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Anita Vogt  
Administrative Judge

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Kathryn A. Lynn  
Chief Administrative Judge